

REMARKS

Upon entry of the instant amendment, claim 1 will have been amended, and claims 2 , 3, and 12 - 20 will have been canceled without prejudice or disclaimer. Moreover, Applicants expressly reserve the right to refile the subject matter of these canceled claims in one or more continuing applications. Accordingly, claims 1 and 4 – 11 remain pending in the current application.

Summary of the Official Action

In the instant Office Action, the Examiner has indicated claims 7 – 11 are allowed and claims 3 and 4 contain allowable subject matter and would be allowable if presented in independent forms that include all the features of their base claims and any intervening claims. The Examiner also rejected claims 1, 2, 5, 6, and 12 – 20 over the art of record. By the present amendment and remarks, Applicants submit that the objections and rejections have been overcome, and respectfully request reconsideration of the outstanding Office Action and allowance of the present application.

Amendment is Proper for Entry

As the instant amendment merely presents the subject matter of claim 3 into independent form as now amended independent claim 1, Applicants submit no question of new matter nor are any new issues for consideration by the Examiner raised in entering and considering the instant amendment.

As the Examiner has already indicated claim 3 would be allowable if presented in independent form, and as now amended independent claim 1 includes the subject matter of objected claim 3 and intervening claim 2, the Examiner has already

considered this claim and acknowledged its allowability.

Applicants further submit the cancellation of claims 12 – 20 without prejudice or disclaimer is proper for entry. Again, Applicants have expressly reserved the right to refile the subject matter of these canceled claims in one or more continuing applications.

Accordingly, Applicants request entry and consideration of the instant amendment, and request the Examiner indicate the allowance of pending claims 1 and 4 – 11.

Acknowledgment of Allowed Claims and Allowable Subject Matter

Applicants gratefully acknowledge the Examiner's indication claims 7 – 11 are allowed and claims 3 and 4 contain allowable subject matter and would be allowable if presented in independent forms that include all the features of their base claims and any intervening claims.

By the present amendment, the subject matter of objected claim 3 and intervening claim 2 have been recited in independent claim 1, such that this claim is now in condition for allowance. Further, as claim 4 was previously presented in independent form, it is believed the objection was inadvertent, and the Examiner intended to indicate this claim as allowed.

Accordingly, Applicants request that the Examiner now indicate the allowance of independent claims 1 and 4.

Rejection Under 35 U.S.C. § 102(b) is Moot

Applicants submit the rejection of claims 1, 2, 5, and 6 under 35 U.S.C. § 102(b) as being anticipated by ANDRESEN et al. (U.S. Patent No. 6,147,538) [hereinafter

“ANDRESEN”] is now moot. The Examiner asserts that Figure 8 of ANDRESEN shows all the recited features of the rejected claims. Applicants traverse the Examiner’s assertions.

By the present amendment, Applicants’ independent claim 1 has been amended into allowable form by additionally reciting the subject matter of objected claim 3 and intervening claim 2. As the Examiner acknowledged such an amendment would render the claim allowable, Applicants request the Examiner now confirm the allowability of independent claim 1.

Further, Applicants submit that claims 2, 5 and 6 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicants submit ANDRESEN fails to anticipate the features recited in claim 2, 5, and 6.

Accordingly, Applicants request the Examiner reconsider and withdraw the rejection of claims 1, 2, 5, and 6 under 35 U.S.C. § 102(b) and indicate these claims are allowable.

Rejection Under 35 U.S.C. § 103(a) is Moot

1. *Over Andresen in view of Lin*

Applicants submit the rejection of claims 12 – 20 under 35 U.S.C. § 103(a) as being unpatentable over ANDRESEN in view of LIN et al. (U.S. Patent No. 6,919,602) [hereinafter “LIN”] is moot.

By the present amendment, claims 12 – 20 have been canceled without prejudice or disclaimer. While Applicants do not acquiesce the invention recited in

claims 12 – 20 is rendered unpatentable by any proper combination of the applied art, Applicants have canceled these claims in an effort to advance prosecution. Moreover, Applicants have also expressly reserved the right to refile the subject matter of these claims in one or more continuing application.

Accordingly, Applicants request the Examiner reconsider and withdraw this rejection as moot and indicate the allowance of the pending claims.

2. Over Andresen

Applicants submit the rejection of claim 19 under 35 U.S.C. § 103(a) as being unpatentable over ANDRESEN is moot. By the present amendment, claim 19 has been canceled without prejudice or disclaimer. While Applicants do not acquiesce the invention recited in claim 19 is rendered unpatentable by any proper combination of the applied art, Applicants have canceled this claim in an effort to advance prosecution. Moreover, Applicants have also expressly reserved the right to refile the subject matter of this claim in one or more continuing application.

Accordingly, Applicants request the Examiner reconsider and withdraw this rejection as moot and indicate the allowance of the pending claims.

Application is Allowable

Thus, Applicants respectfully submit that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. §§ 102 and 103, and respectfully request the Examiner to indicate allowance of each and every pending claim of the present invention.

CONCLUSION

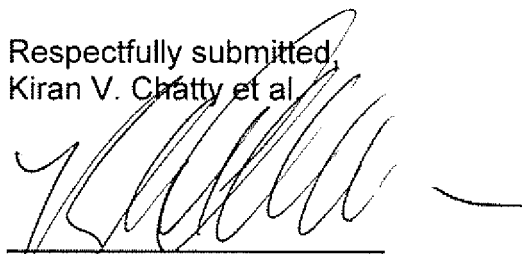
In view of the foregoing, it is submitted that none of the references of record,

either taken alone or in any proper combination thereof, anticipate or render obvious the Applicants' invention, as recited in each of claims 1 and 4 – 11. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,
Kiran V. Chetty et al.



Andrew M. Calderon
Reg. No. 38,093 Robert W. Mueller
Reg. No. 35,043

November 7, 2006
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191